

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
STATESVILLE DIVISION  
CRIMINAL ACTION NO. 5:09-CR-00026-KDB-DSC**

**UNITED STATES OF AMERICA,**

**v.**

**DARAY ROMEZ WALLER,**

**Defendant.**

**ORDER**

**THIS MATTER** is before the Court on Defendant's Motion for Compassionate Release, (Doc. No. 54), filed by his attorney on October 15, 2020.

Shortly after the Motion was filed, the Court noticed that the Motion referred to multiple attachments, yet no documents were attached to the Motion. The Court emailed counsel asking her to file the referenced attachments. Counsel was on extended leave and responded upon her return. She attached the documents in an email back to the Court and stated that she would file them on ECF. The Court responded and confirmed that she should file the documents on ECF. To date, no attachments have been filed.

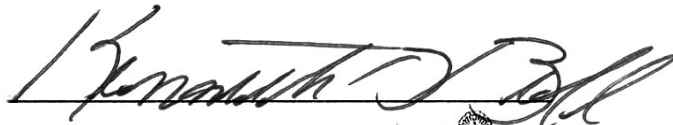
As a general rule, the Court does not file documents on behalf of an attorney. It is the attorney's responsibility to file any documents he or she wants the Court to consider on ECF. However, given the circumstances here and the delay already caused by counsel's failure to file the attached documents, the Court believes the only fair option to the Defendant is to file the attachments that the Court received via email so that the Court may consider the merits of his Motion. The Court has forwarded the three attachments to the Clerk's office for filing.

The Court will also request a Government response to Defendant's Motion for Compassionate Release be filed within three weeks of this Order.

**IT IS THEREFORE ORDERED** that the Clerk file Attachments 1, 2, and 3 that were provided to the Court via email by Defendant's counsel.

**IT IS FURTHER ORDERED** that the Government provide a response to Defendant's Motion for Compassionate Release, (Doc. No. 54), on or before **February 3, 2021**.

**SO ORDERED.**

A handwritten signature in black ink, appearing to read "Kenneth D. Bell", written over a horizontal line.

Kenneth D. Bell  
United States District Judge



Signed: January 13, 2021